92

G. R. S. IX-5]

Previous references.

1891-92
~~192~~
(L.R.)

File No. 169.

Serial Nos. 1-4

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-4

Part B for October 92.

SUBJECT.

Abstract of Kanyatan (Cocoanut) Jamabandi of certain patti land in Chinchwan Mufassil village Nagaon Taluka

---

Commissioner's letter 5912/91 forwarding in

To

The Deputy Commissioner
Bangalore District.

3334
P.F 143-92

Dated 12-9-92.

Directs that the patta be issued in the name of the Appellant.

WD 2233—GIDS—20,000—14-6-20

1

(7)

M No 72 of 1890

Appl
Nanjamma

Respt
Puttaramma

Respt husband who died entered Petta
Respt husband who died entered Petta
Respt husband who died entered Petta

the transfer of the lands in the name of the appt requesting that the registn may be made in her name —

An enquiry was found that appt was a divided member of the family & Respt being advised the transfer, the Dy Commr ordered on 7th May 1894, that the registn shd be made in the name of Respt

The appt appealed against this order

Appt produces an unregistered stamped document of 23rd July 1890 executed by Respt transferring the lands — This is a document to prove that appt discharged a debt of Rs 50 of the Respts husband in August 1890 & redeemed a mortgage —

N Sub Division did issued an order on 28th April 1891 ~~that as the~~ deputation was sent from the Respt to ascertain the genuine the transfer, the registry shd be transferred to the Respt. On 30th April 1891, the Amildar reported that as the transfer application was made in person, he did not take any deposition from her, but the Sub Dn Offr ordered her first order to be carried out. The Dy Comr confirmed the Sub Dn Offrs order.

Appt contends that the Respt voluntarily transfer the Patta & in proof it produces an unregistered stamp document of 23rd July 1890 executed by Respt transferring the lands to him. The person who wrote

3/

The Petition of Bowes per states that the documents the Petition and the Respts and the Annexures states that it was presented by the Respt in person.—

Under these circumstances, the Govt have no doubt that the application for transfer was presented by the Respt in person & the only question for consideration is whether the Respts withdrawal of her consent once given is sufficient to justify the re-transfer of the Patta in her name.

The Govt are of opinion that if a person transferring his Patta withdraws his consent to the transfer before the issue of the Patta, such withdrawal may be accepted & acted upon, but if the withdrawal is made after the issue of the Patta, it stands on

ecting the
nclosures
ers for the Respt
take a deposition
hereon, & if she
desires the transfer
to re-transfer the
registry in her
name. On this
the Annexure
reported on 30th
of 1891 that
the Respt presented
the Petn in person
& desired whether
any further deposition
was necessary. The
Dr passed
first order in the
present, the Annexure
recorded the deposition
of the Respt & she having
agreed the transfer, the
Dr transferred the registry
in the name of the Respt.
The Respt appealed to the Dr
Commr who dismissed the appeal &

be accepted. In her case the transfer was withdrawn nearly six months after the issue of N Patta, & the statement of the Respt that she did not make the transfer at all is unworthy of credence. It is true that the transfer Razenamah was not attested by witnesses as required by the Rules, but this informality is not serious as the deed was attested & presented in person. In fact the Dy Comr cancel the order of the Dy Comr & direct that N Patta be issued in the name of the appt.

19/8/22

Advr informed that the Dy Comr has been requested to issue N Patta in her name.

5

Application in written time.

Petition sufficiently stamped.

Copy of order appealed against obtained. Vadi pania of Title Land Rules.

Limitation time Correct.

9/9/91 J.J.

Case for Bro
Ref
15/9/91

L.R 169-91-1

(General Serial No. 32.)

189 .

No. 1013. (1)

Name of Petitioner.
Sadiqzaa

Village.
Chinnenayakk

Taluk.
Hosakote

District.
Bangalore

Date of Arzi.
14-8-91

Date of Receipt.
14-8-91

Date of Disposal.

No. of Enclosures.
Seven only.

ABSTRACT.

The petitioner's father
his uncle were indi
about 8 years ago the
father died & he an
uncle Court & not
account of some
- understanding
together, some years
joint property of
and uncle were in
uncle's enjoyment
the Patta of these
were also in his nam
But he died last ye
leaving only his wid
between whom and
petitioner disputes ar
Consequently a Purchase
In accordance
the Panchayat

ision the petitioner a
uncle's widow entered
a written contract
23rd July 1890, and
rsuance of which the
itioner cleared a
el of 50 Rupees
ntracted by his uncle
d paid Kandayem
the lands in his
ncle's putta and the
idow on her part
plied on 23rd September
the Amildar for trans
erence of his uncles
tta to the petitioner's
ance. The putta was
transferred.

But being persuaded
some spiteful person
e forwarded to the Cloppett
b division Officer a
ounter application
tting up the plea of
concealed adoption
a ground for quashing
above transference
d he declining the
ea cancelled it by
s order dated 21st

7

Against this order he appealed to the Bungalow District Deputy Commissioner who by his Endorsement dated 2nd July 1891 has confirmed the Sub-division Officer's order.

The petitioner therefore appeals against this order and prays for the transference of his mutt Patta to his name.

Translation of the Endorsement viz:-

Regarding the Patta in dispute the fact that they are in Petitioner's name is admitted against by any-one and there are no adequate grounds for transferring them to your name.

Heshwardas

ಕೈಂದಾ ಲುಬೆರಾಂ ಪೆಲ್ಲಾಬಿಲ್ಲ ಲು ಪೈಲಿ

10 — ಪತ್ತಿಪ್ಪು ಚಿಲ್ಲಂಪುಲು — ಆತೆಪುಲಾಂ ಅಲು ಲಂಪಕಪಲ್ಲಿ ನಾಳ್ಳ
ದು ಚೆಲ್ಲಿ ಲಿದ್ದಿಪೈ ಗೆ — ವಲ್ಲವಲ್ಲಿ ಕಾಲ್ಲ — ಪಿಬ್ಬೆ ಲಂಗನನಸ್ಸ ದತೆಪ
ಪೈ ಗಾದುಲಿಲ್ಲಾಂತು — ಲು ಲ್ರು ಲಂತಿಲ್ಲಿ ಪಿಲ್ಲಾಲ್ಲ ಕೈಲ್ಲಿನಿ ವಲ್ಲಾಂ
ರು ಲು ಲ್ರು ಲಹಾಂಗಾಂ ಪಚ್ಚೆ ನಂಗನಪಿ ಪಂಗಿ — ಆ ಗಲಾಂತೆದಾಂ
ತಲಾಂ ತೆಂಗನಪಿಪುಂಗಿ ಆಗ ಚೆಲ್ಲಿಮಿಂತಲಾಂ ಕಲ್ಲಾಗಿ ಪೆಲ್ಲಿಂಚಿ
ಪುಬ್ ತೆತಲಚ್ಚಿ — ಆ ಪಿಲಪುಂಗಿ — ಆಚಿಗಿರಿಲ್ಲಿ ಳ್ಳಿ ಪಾಲಾಲಿ
ಲಿ ಆ ಆಲಿಪಿಪುಲು — ಆಲಾಲ್ಲ ಲು ಪಲ್ಲಿಪೈ ತಿಳಿಂದಿದ್ದ ವಾಂಗಿ
ರಂಗನಪಿ ನಂಗಿ — ಕಳ್ಳ ಆಗಿಲ್ಲಾ ವದಿಪ್ಪಾ — ರಪ್ಪು ಲಾಂ ತಿರಚಿ
ಕೈಂಲ್ಲ ಪಾಲಿಲಾಂ 1891 ಫೈಲ್ಲಾಬಿ ಲಿಲಿ ಪ್ರೀಲಿ 21 ಲಿ
ಪಾಂಗಡಪಿಲ್ಲಿ ಲಿಳ್ಳಿ — ಆ ಲಂಪಿಪಿಲಿನಾ ವಲಾಂ ತಿದ ಲು ——

11 —— ಲು ಪಲ್ಲಿಪೈ ಗಾ ಲ್ರು — ತಾಲಿ ಪಿಪು ಕೈ ಪಾಲಾಂ ಪನಲಿಪ್ಪಿ — ಆ
ಬೆಗಿನ ಪಲ್ಲಿಪೈ ತಲಾಂ ಪುಬ್ ತೆತಲಿಚ್ಚಿ ಆಚಿಲಿಪಿಪು ಲು ಲಾಂ ತಿರಿಲ
ಆ ಲಪಿಪಿಲಿನಾ — ರಪ್ಪು ಲಾಂ ತಿರುವಚಿಲ್ಲಾಲಿಂತಲಾಂ ಪಚ್ಚಿ ಆಲಾಲ್ಲ
ಪೈ ಲಿಕಿ — ಆ ಗಳಚ್ಚಿ ಕೈಂ ಲ್ಲಿಪು ಲಾಂ 1891 ಫೈಲ್ಲಾಬಿ ಜೂಲಿಪೈ ಲಿ
ಲಾಲಿಲ್ಲಾಂ ಳ್ಳಿ ಳ್ಳಿ — ಲು ಲಾಂ ತಿರಾಲ್ಲ ವಲಿಂಬು ವಲ್ಲಿ ಳ್ಳಿ ಲು ——

12 —— ಆ ಪಪ್ಪಾ ತಿಂದವರಿ ಲಿಲ್ಲಾಲಿಂಡಂತೆಲ್ಲಿ ಲ್ಲಿನಿಗಿ — ವಲಿಂಗಿಲ್ಲಿ ಲಾಂ
ಆ ಲಿಪಿಲ್ರು ಲ ಆ ಲಂಪಿಲಿಗಳ್ಳಿ ಪೆಲಿಲಿ — ಲು ಲಾಂ ಆ ತಿರಿಲ ಲು ಆಲಿಪಿಗಿನಾ
ಲು ಲ್ರು ಲಾ ಲಿಲಿ ಪಾಲಾಂ ತಿಳಿಂಚಿಲು ಳ್ಳಿ ಲು ——

13 —— ವಿಲಾಂ ಲಂಪಲ್ರು — ನಂಗ ಲಿಲಾಂ ಪದ ಲಿಲ್ಲಿಗಳ್ಳಿ ನೈಲ್ಲಾಲಾ — ಲಿಲಾಂ
ಲ ತಿಂಚಿ — ಲ ಚೆಲ್ಲಿಲು ನಂಗನಪಿ ಪಂಗಿ — ವಿಲಾಂ ಲು ಲಾಂ ಲು ಲ್ರು
ಲಂತಿಲ್ಲಿ ಳ್ಳಿ ಪಿಲ್ಲಾಲಾಂ ಪಾಂ ಲಿಲಿ ಪದ್ದಿ ಲಿ — ಆ ಲಪಿಲ್ಲು ಚಿಲಾಂಡಿನ
ರಂಗಿಲಿ — ಲಾಂ ರಪ್ಪಾಂಲ್ಲಿ ತಿಲಾಲಾಂ ಲಿ — ಲಾಂ ಪಾಂ ಲು ನಚ್ಚಿಂದಲಿ
ತಿಲಿ ಗದು ವಲ್ಲಿ ಳ್ಳಿ ಚಿಲಿ ಲಿಲಾಂ ಳ್ಳಿ ಲಾಂ ಆ ಗಚಿಲಿಲಿಂ
ದು — ಚೆಲಿಲು ತಿಲ್ಲಿದಿ ——— — — —

ಲಿಲಿಲಿಲಿಲಿಲಿಲಿ

ತಿ 14-8-91

ಲಿಲಿಲಿಲಿಲಿಲಿಲಿ

ಪ್ರಾಂಶುಪಾಲರು

11

1. ✓ 1891 ಫೆಬ್ರವರಿ ಮೊದಲನೆಯ ತಾರೀಖು 23 ನೇ ಸಲ್ಲ ಗಂಭೀರವಾಗಿ
ಪ್ರಾಚೀನ ಸಾಮಗ್ರಿ ಪರಿಶೀಲನೆಯಲ್ಲಿ ಮಗ್ನರಾಗಿದ್ದರು ——

2. ✓ 1888 ಕ್ಕೆ ಮುಂಚೆ ಪ್ರಾಚ್ಯಾಗಾರಕ್ಕೆ ಸಂಗ್ರಹವಾಗಿದ್ದ ಸಾಮಗ್ರಿಗಳ
ಸಂಖ್ಯೆ ಸುಮಾರು ಎಂಟು ಸಾವಿರದಷ್ಟಿತ್ತು. ಆ ಸಂಖ್ಯೆಯು ಇಂದು
ಹನ್ನೆರಡು ಸಾವಿರಕ್ಕೆ ಏರಿದೆ ——

3. ✓ ಪ್ರಾಚ್ಯಾಗಾರಕ್ಕೆ ಸಂಗ್ರಹವಾಗಿರುವ ಸಾಮಗ್ರಿಗಳಲ್ಲಿ 20-9-90
ರಲ್ಲಿ ಸಂಗ್ರಹವಾದ ಸಾಮಗ್ರಿಗಳ ಪಟ್ಟಿಯನ್ನು ಇಲ್ಲಿ
ಸೇರಿಸಲಾಗಿದೆ ——

4. ✓ ಬಾಲಾಪ್ರಾಕ್ಕೆ ಸೇರಿದ್ದಲ್ಲದೆ ಇನ್ನೂ ಹಲವು ವಿಷಯಗಳ ಕೆಲವು
ಭಾಗಗಳನ್ನು ಸಂಗ್ರಹಿಸಲು ನಿರ್ಧರಿಸಲಾಗಿದೆ. ಈ ಕಾರ್ಯಕ್ಕೆ
ಪ್ರೊಫೆಸರ್ ಮಾರ್ಟಿನ್ — 1890 — ನೇ ಇಸವಿಯಲ್ಲಿ
ಪ್ರಾರಂಭಿಸಿದರು ——

5. ✓ ಈ ಸಂಸ್ಥೆಯ ಶಿಲಾಸ್ತಂಭ ನಿಗಮ ಪ್ರಾಚ್ಯ ಭಾಗದಲ್ಲಿ 28/4/91
22 ನೇ ತಾರೀಖಿನಂದು ಪ್ರತಿಷ್ಠಾಪಿಸಲಾಯಿತು ——

6. ✓ 2-7-91 ರಂದು ಸಂಸ್ಥೆಯ ಕೆಲಸ ಪರಿಶೀಲಿಸಲು ಬಂದಿದ್ದ
ಸಮಿತಿಯ ಸದಸ್ಯರುಗಳ ಅಭಿಪ್ರಾಯಗಳನ್ನು ಪುಸ್ತಕದಲ್ಲಿ
ಬರೆದಿದ್ದಾರೆ. ಅದರ ಸಾರಾಂಶ ಈ ರೀತಿ ಇದೆ.

7. ✓ ಈ ಬಗ್ಗೆ ಮಾಡಿರುವ ಸಂಖ್ಯಾ ವಿವರಗಳು
ಈ ಕೆಳಕಂಡಂತಿವೆ. 1890 - ನೇ ಇಸವಿಯಲ್ಲಿ ಒಟ್ಟು
ಸಂದರ್ಶಕರು ——

ಕೆ ಸಿ 14-8-91

Jr. 112 K

12

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

received 30/9/91

The accompanying Petition No. 1013 (2)

dated 4th Aug 91 received at the

Dewan's Office from Rangiah s/o

Chandrappa Kuglur,

Bangalore Taluk,

L.R 169-9-2

is forwarded, together with its Seven

enclosures, to the Dy. Comr.

Bangalore Distt. for

submission of Report

in pursuance thereof.

By Order,

BANGALORE,
15/9/ 189/.

Chief Secretary

drafted as per
Cr order.

A. S. No. 72

13

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
Aug 1892.

Respdt - Puttiramma.

Endorsement granted to Ramjimah & Chunchangappa. Inspdr
Mt, Bangalore Distt,
in reply to his Petition Registered No. 613 dated 4th Augt 92.

S. D. Hg Q's ——

Petitioner is informed that the Dy Commr has been requested to issue the Patta in his name.

2. The enclos: are returned.

W.
29/8/92

"By Order,"

Re-draft.

Chief Secretary.

Mysore Govt. Central Press, Bangalore.—5-7-92—1

Extt issued with

14

Before the Government of *His Highness* the Maharaja of Mysore.

Appeal No. 72 of 1891.

(9)

Appellant. Vs. Respondent.

Nanjunaiah &
Channegowda,
Nagadi Taluk,
Bangalore District.

Pattiramma.

L R 169-91

Decision, dated 21st July 1892.

Respt., on the death of her husband, who held certain Sudra lands, separated the Amildar in September 1889, on a petition presented before him to that effect, that her husband brought up his brothers son, the Appellant, as his son, and wanted to execute a document, making him the heir of all his property but having died before he executed a document, she has executed a document in favor of the Appt. according to her husband's orders, that he has performed

the funeral of her husband, that the
lands may therefore be
transferred in his name. The Auditor
for Goprakinga, conducted that the
petition was presented in person ordered
the transfer on the same date. The
transfer was accordingly made Patta
was issued in the name of the applt.

2. Applt presented a petition to the
Dy Comm on 25th March 89, stating that
she never presented any petn, requesting
the transfer of the lands in the name
of the Applt Karantha Ning made in
the Register accordingly.

3. The Land Sup Officer issued an
order, on 25th April 89, directing the Asst
Dir to send for the Applt, take a depo
tion from her, if she desires the transfer
to be transfer the register in her name.
On this, the Auditor reported, on 30th April
1889 that the Applt presented the petn

in

in person Varied whether any further
deposition was necessary. The Sub-Reg
Officer directed his first order to be
carried out. The Builder according to
a deposition from the Respt was having
denied the transfer, he re-transferred the
Registry in the name of the Respt. Appe
-llant appealed to the Dy Comm. who
dismissed the appeal.

4. Appt contends that the Respt
voluntarily transferred the Patta in
proof of it, produces an unregistered
stamp document dated 23rd July 90 exe
-cuted by Respt transferring the land
to him. The person who wrote the
Petition for transfer states that he
did write the Petn at the request of
the Respt & the Builder states that
it was presented by the Respt in person

5. Under these circumstances, the
Govt have no doubt that the Petn
praying for transfer was presented by
the

the Receipt is known, and the only question for consideration is whether the Receipt's withdrawal of her consent once given is sufficient to justify the re-transfer of the Patta in her name.

6. We Govt are of opinion that if a person transferring his Patta withdraws his consent to the transfer before the issue of the Patta, such withdrawal may be accepted & acted upon, but if the withdrawal is made after the issue of the Patta, it should not be accepted. In this case the transfer was withdrawn nearly six months after the issue of the Patta, & the statement of the Receipt that she did not make the transfer at all is unworthy of credence. It is true that the transfer-deed Rajinamah was not attested by witnesses as required by the rules, but this informality is not serious, as the Grantee herself certified that

was

was presented in person. The Govt therefore cancel the order of the Dy Commr and direct that the Patta be issued in the name of the Appellant. The parties will be made to understand that this order will, in no way, affect the present possession of the land ~~party actually in possession~~, nor will it be a bar to the Respt, if she considers herself aggrieved by this action of Govt, to establish her right, if any in a Civil Court.

By order

Chief Secretary.

29 Mar 92

R. 3334 dated 2-4-92
Pet F. 143-92

Copy to the Dy Commr Bangalore

with the ~~with~~ the rec. papers recd with his Rp 715 dd 5th Dec 1891. will be returned on their receipt from the Munsiff, Nelavangala to whom they have been forwarded. By Order"

Re-draft.

Chief Secretary.